

Appl. No. 10/667,712
Amdt. Dated March 9, 2009
Reply to Amendment of November 7, 2008

Amendments to the Drawings:

Please replace the sheets containing Figures 6, 8, 9, 10, 32, and 34-38 with enclosed replacement sheet containing revised Figures, where dark portions have been removed.

REMARKS/ARGUMENTS

Claims 1, 3-5, 7-9, 13, 15, 20, 22, 23, 25-27, 29-31, 35, 37, 42, and 44 have been resubmitted. Claims 1, 5, 13, 20, 23, 27, 35, 42, and 45 have been amended. New claim 47 is presented herein.

Claims 1 and 5 have been amended to recite:

"... wherein said node priority presentation means presents a node priority which is set based on a characteristic of the appearance of said node when displayed."

Claims 13, 20, 23, 27, 35 and 42 have been amended to recite:

"... wherein said node priority is set based on a characteristic of the appearance of said node when displayed."

Claim 45 has been amended to recite:

"... wherein the priority of said prioritized portion is based on a characteristic of the appearance of said node when displayed..."

Support for these amendments may be found in Applicants' specification at paragraph 0183.

Drawings

Figures 6, 8, 9, 32, and 34-38 were indicated as having dark portions that hinder readability. The dark portions have now been removed, and hence Applicants believe that the drawings are now acceptable.

Rejections under 35 USC 102(e)

Claims 13, 15, 35, and 37 were rejected under 35 U.S.C. 102(e) as being anticipated by Piotrowski U.S. Patent Application Publication No. 2003/0236903. Independent Claims 13 and 35 have been amended to recite:

"... wherein said node priority is set based on a characteristic of the appearance of said node when displayed."

The cited references contain no teaching or suggestion that the node priority be set based on a characteristic of the appearance of said node when displayed. For example, Piotrowski teaches that the priority is determined by a user. For example, see Piotrowski at paragraphs 15, and 19.

Accordingly, independent Claims 13, and 35 and claims dependent thereon are not rendered unpatentable by the cited references and withdrawal of the rejection is respectfully requested.

Rejections under 35 USC 103(a)

Claims 1, 3, 4, 23, 25, and 26 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0236903 (Piotrowski) in view of U.S. Patent No. 5,899,995 (Miller et al.) Independent Claim 1 has been amended to recite:

"... wherein said node priority presentation means presents a node priority which is set based on a characteristic of the appearance of said node when displayed."

The cited references contain no teaching or suggestion that a node presentation means presents a node priority which is set based on a characteristic of the

appearance of said node when displayed. For example, Piotrowski teaches that the priority is determined by a user. See Piotrowski at paragraphs 15, and 19.

Accordingly, independent Claim 1, and 3 and 4 dependent thereon are not rendered unpatentable by the cited references and withdrawal of the rejection is respectfully requested.

Independent Claim 23 has been amended to recite:

"... wherein said node priority is set based on a characteristic of the appearance of said node when displayed."

The cited references contain no teaching or suggestion that a node priority is set based on a characteristic of the appearance of said node when displayed. For example, Piotrowski teaches that the priority is determined by a user. See Piotrowski at paragraphs 15, and 19.

Accordingly, independent Claim 23, and claim 25 and 26 dependent thereon are not rendered unpatentable by the cited references and withdrawal of the rejection is respectfully requested.

Claims 5, 7-9, 27, and 29-31 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0236903 (Piotrowski) in view of U.S. Patent No. 5,899,995 (Miller et al.), in view of U.S. Patent No. 5,790,937 (Gutle) and further in view of U.S. Patent No. 5,907,841 (Sumita). Independent Claim 5 has been amended to recite:

"... wherein said node priority presentation means presents a node priority which is set based on a characteristic of the appearance of said node when displayed."

The cited references contain no teaching or suggestion that a node presentation means presents a node priority which is set based on a characteristic of the appearance of said node when displayed. For example, Piotrowski teaches that the priority is determined by a user. See Piotrowski at paragraphs 15, and 19.

Accordingly, independent Claim 5, and claims 7-9 dependent thereon are not rendered unpatentable by the cited references and withdrawal of the rejection is respectfully requested.

Independent Claim 27 has been amended to recite:

"..., wherein said node priority is set based on a characteristic of the appearance of said node when displayed."

The cited references contain no teaching or suggestion that a node priority is set based on a characteristic of the appearance of said node when displayed. For example, Piotrowski teaches that the priority is determined by a user. See Piotrowski at paragraphs 15, and 19.

Accordingly, independent Claim 27, and claims 29-31 dependent thereon are not rendered unpatentable by the cited references and withdrawal of the rejection is respectfully requested.

Claims 20, 22, 42 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0236903 (Piotrowski) in view of U.S. Patent No. 5,790,937 (Gutle), further in view of U.S. Patent No. 5,907,841 (Sumita). Independent Claims 20 and 42 have been amended to recite:

"..., wherein said node priority is set based on a characteristic of the appearance of said node when displayed."

The cited references contain no teaching or suggestion that a node priority is set based on a characteristic of the appearance of said node when displayed. For example, Piotrowski teaches that the priority is determined by a user. See Piotrowski at paragraphs 15, and 19.

Accordingly, independent Claim 20 and 42 and claims 22 and 44 dependent thereon are not rendered unpatentable by the cited references and withdrawal of the rejection is respectfully requested.

Claim 45 was rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0236903 (Piotrowski) in view of U.S. Patent Application No. 2001/0013046 (Katayama). Claim 45 has been amended to recite:

“... wherein the priority of said prioritized portion is based on a characteristic of the appearance of said node when displayed...”

The cited references contain no teaching or suggestion that a priority of a prioritized portion be based on a characteristic of the appearance of said node when displayed. For example, Piotrowski teaches that the priority is determined by a user. See Piotrowski at paragraphs 15, and 19.

Accordingly, independent Claim 45 is not rendered unpatentable by the cited references and withdrawal of the rejection is respectfully requested.

Claim 46 was rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0236903 (Piotrowski) in view of U.S. Patent

Appl. No. 10/667,712
Amdt. Dated March 9, 2009
Reply to Amendment of November 7, 2008

Application No. 2001/0013046 (Katayama) further in view of "Ellipsis" (Wikipedia).
Claim 46 is dependent on claim 45, which is patentable for the reasons cited above.

Accordingly, Claim 46 is not rendered unpatentable by the cited references and withdrawal of the rejection is respectfully requested.

New Claim

New Claim 47, which is dependent on Claim 1, has been submitted. Claim 47 recites:

"...said appearance comprises the presence of a background color, an itemized list, or an underline."

None of the cited references teach or suggest that priority be set based on the appearance of a node, much less that the appearance comprises a background color, an itemized list, or an underline. Hence, Applicants submit that new claim 47 is patentable over the cited art.

CONCLUSION

Reconsideration and withdrawal of the rejections with respect to the rejected Claims is requested. Applicants submit that the claims are now in condition for allowance.

In the event the Examiner wishes to discuss any aspect of this response, please contact the attorney at the telephone number identified below.

Appl. No. 10/667,712
Amdt. Dated March 9, 2009
Reply to Amendment of November 7, 2008

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 090441.

Respectfully submitted,

Dated: March 9, 2009

By: 

Donald L. Wenskay
Attorney Registration No. 32661

LAW OFFICE OF DONALD L. WENSKAY

16909 Via de Santa Fe, Suite 202
PO Box 7206
Rancho Santa Fe, CA 92067
Phone 858-756-0357
Fax 858-756-0427